

JAN 15 1999

Docket No.
47578

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PHARMACEUTICALLY ACTIVE COMPOUNDS AND METHODS OF USE

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on October 20, 1998 as United States Application No. or PCT International Application Number 09/176,067 and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/064,830

21 October 1997

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Peter F. Corless (Reg. No. 33,860)
 Sewall P. Bronstein (Reg. No. 16,919)
 David G. Conlin (Reg. No. 27,026)
 George W. Neuner (Reg. No. 26,964)
 Ernest V. Linek (Reg. No. 29,822)
 Linda M. Buckley (Reg. No. 31,003)
 Ronald I. Eisenstein (Reg. No. 30,628)
 Peter J. Manus (Reg. No. 26,766)
 David S. Resnick (Reg. No. 34,235)
 John L. Welch (Reg. No. 28,129)

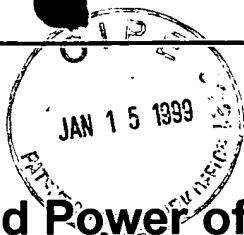
Cara Z. Lowen (Reg. No. 38,227)
 William J. Daley, Jr. (Reg. No. 35,487)
 David D. Lowry (Reg. No. 38,538)
 Robert L. Buchanan (Reg. No. 40,927)
 Christine C. O'Day (Reg. No. 38,256)

Send Correspondence to: **David G. Conlin**
DIKE, BRONSTEIN, ROBERTS & CUSHMAN, LLP
 130 Water Street
 Boston, MA 02109

Direct Telephone Calls to: *(name and telephone number)*
Peter F. Corless (617) 523-3400

Full name of sole or first inventor Graham J. Durant
Sole or first inventor's signature <i>Graham Durant</i> Date <i>November 19th 1998</i>
Residence Plymouth, ENGLAND
Citizenship United Kingdom
Post Office Address 10 Perches Close, Membland Newton Ferrers
Plymouth, PL8 1H2, ENGLAND

Full name of second inventor, if any Seetharamaiyer Padmanabhan
Second inventor's signature _____ Date _____
Residence Malden, Massachusetts
Citizenship _____
Post Office Address 520 Main Street, Apt. #1501
Malden, Massachusetts 02148


Docket No.
47578

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English Language Declaration

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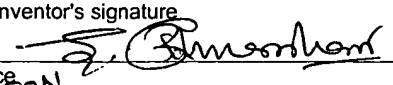
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 130 Water Street
 Boston, MA 02109

Direct Telephone Calls to: *(name and telephone number)*
Peter F. Corless (617) 523-3400

Full name of sole or first inventor Graham J. Durant	
Sole or first inventor's signature	Date
Residence Plymouth, ENGLAND	
Citizenship United Kingdom	
Post Office Address 10 Perches Close, Membland Newton Ferrers	
Plymouth, PL8 1H2, ENGLAND	

Full name of second inventor, if any Seetharamaiyer Padmanabhan	
Second inventor's signature 	Date 12/15/98
Residence Lexington, Massachusetts	
Citizenship INDIAN	
Post Office Address 520 Main Street, Apt. #1501	
LEXINGTON Malden, Massachusetts 02148 02420	

JAN 15 1999

Page 1 of 2

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3

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

Docket No.
47578-P1

Serial No.
Not Yet Assigned

Filing Date
Herewith

Patent No.

Issue Date

Applicant/ Graham J. Durant and Seetharamaier Padmanabhan
Patentee:

Invention: **PHARMACEUTICALLY ACTIVE COMPOUNDS AND METHODS OF USE**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below.
☒ an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF CONCERN: Cambridge NeuroScience, Inc.

ADDRESS OF CONCERN: One Kendall Square, Building 700, Cambridge, MA 02139

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

FULL NAME _____
ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Gregory B. Butler, Ph.D., Esq.

TITLE OF PERSON SIGNING

OTHER THAN OWNER:

Senior Director, Legal Affairs and Chief Patent Counsel

ADDRESS OF PERSON SIGNING:

Cambridge NeuroScience, Inc.

One Kendall Square, Building 700

Cambridge, MA 02139

SIGNATURE:

Gregory B. Butler

DATE:

10/21/97

RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

PATENTS ONLY

Tab settings → → → ▼ ▼ ▼ ▼ ▼ ▼ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Graham J. Durant

JAN 15 1999

Additional names(s) of conveying party(ies)

☒ Yes ☐ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ OtherExecution Date: **November 19, 1998**

2. Name and address of receiving party(ies):

Name: **Cambridge NeuroScience, Inc.**Address: **One Kendall Square, Building 700**City: **Cambridge**State/Prov.: **MA**Country: **USA**ZIP: **02139**

Additional name(s) & address(es)

☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

Patent Application No.

Filing date

B. Patent No.(s)

09/176,067**October 20, 1998**

Additional numbers

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **David G. Conlin**Registration No. **27,026**Address: **Dike, Bronstein, Roberts & Cushman, LLP****130 Water Street**City: **Boston**State/Prov.: **MA**Country: **USA**ZIP: **02109**

6. Total number of applications and patents involved:

17. Total fee (37 CFR 3.41):.....\$ **80.00**☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☐ Authorized to be charged to deposit account

8. Deposit account number:

04-1105

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.***Peter F. Corless (Reg. 33,860)**

Name of Person Signing

Signature

Date

6

Total number of pages including cover sheet, attachments, and

ASSIGNMENT

WHEREAS, I, Graham J. Durant, inventor residing at 10 Perches Close, Membland Newton Ferrers, Plymouth, PL8 1H2, England, a citizen of the United Kingdom (hereinafter referred to as "Assignor"), has invented certain new and useful improvements in "Pharmaceutically Active Compounds and Methods of Use", for which an application for United States Letters Patent with the same title shall be filed with the United States Patent and Trademark Office, under application number 09/176,067 and a filing date of October 20, 1998 and

WHEREAS, Cambridge NeuroScience, Inc., located at One Kendall Square, Building 700, Cambridge, Massachusetts 02139, (hereinafter referred to as the "Assignee"), is desirous of acquiring the entire right, title and interest in and to the same invention, and in and to the said application, and any Letters Patent that may issue thereon;

NOW, THEREFORE, TO ALL WHOME IT MAY CONCERN, be it known that for and in consideration of One Dollar (\$1.00), and other valuable and legally sufficient consideration, the receipt of which is hereby acknowledged, the Assignors have sold, assigned, and transferred, and does hereby sell, assign and transfer to the Assignee, its successors and assigns, their entire right, title and interest for the United States in and to the said invention and in and to the said application and all patents which may be granted therefor, and all divisions, reissues, substitutions, continuations, in whole or in part, re-examinations, and extensions thereof, and all applications claiming priority therefrom; and the Assignor hereby authorizes and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as their interest is concerned, to the Assignee; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for which any and all of said Letters Patent for said invention may issue, to the same extent as the Assignors would hold and enjoy if this Assignment had not been made.

The Assignors also have sold, assigned, and transferred, and do hereby sell, assign and transfer to the Assignee, its successors and assigns, their entire right, title and interest in and to the invention disclosed in said application, in all countries of the world foreign to the United States, including the right to file applications and obtain patents for said invention in its own name in said countries and including all rights of priority in said countries under the terms of any applicable international convention; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for which any and all of said Letters Patent for said invention may issue, to the same extent as the Assignors would hold and enjoy if this Assignment had not been made.

The Assignors further agree to execute any and all patent applications, assignments, affidavits, and any other papers in connection therewith necessary to perfect such patent rights,

and also agree, at the request of the Assignee, to testify in any legal proceedings, sign all lawful papers, make all lawful oaths, and generally do everything possible to aid said Assignee, its successors and assigns, to obtain, maintain and enforce patent protection for said invention in all countries.

The Assignors also hereby grant the law firm of Dike, Bronstein, Roberts & Cushman LLP the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this documents.

IN WITNESS WHEREOF, the Assignor has caused this Assignment to be executed.

Dated this 19th day of November, 1998.

Graham J. Durant
Graham J. Durant

Witness

R. M. Durant
Name:
~~Title:~~